

SUBCOMMITTEE: PUBLIC SAFETY

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HOUSE BILL NO. 1648

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice

on _____)

(Patron Prior to Substitute--Delegate Kory)

A BILL to amend and reenact §§ 9.1-102, 53.1-20, 53.1-25.1, and 66-10 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 53.1-35.2 and by adding in Chapter 2 of Title 53.1 an article numbered 2.2, consisting of sections numbered 53.1-40.11 through 53.1-40.16, relating to state correctional facilities; treatment of prisoners known to be pregnant or parents of minor dependents.

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-102, 53.1-20, 53.1-25.1, and 66-10 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 53.1-35.2 and by adding in Chapter 2 of Title 53.1 an article numbered 2.2, consisting of sections numbered 53.1-40.11 through 53.1-40.16, as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

- 1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

26 2. Establish compulsory minimum training standards subsequent to employment as a law-
27 enforcement officer in (i) permanent positions, and (ii) temporary or probationary status, and establish the
28 time required for completion of such training;

29 3. Establish minimum training standards and qualifications for certification and recertification for
30 law-enforcement officers serving as field training officers;

31 4. Establish compulsory minimum curriculum requirements for in-service and advanced courses
32 and programs for schools, whether located in or outside the Commonwealth, which are operated for the
33 specific purpose of training law-enforcement officers;

34 5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize
35 radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in §
36 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum
37 qualifications for certification and recertification of instructors who provide such training;

38 6. [Repealed];

39 7. Establish compulsory minimum entry-level, in-service and advanced training standards for those
40 persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-
41 120, and to establish the time required for completion of such training;

42 8. Establish compulsory minimum entry-level, in-service and advanced training standards for
43 deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time
44 required for the completion of such training;

45 9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well
46 as the time required for completion of such training, for persons employed as deputy sheriffs and jail
47 officers by local criminal justice agencies and correctional officers employed by the Department of
48 Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of
49 Corrections, such standards shall include training on the general care of pregnant women, the impact of
50 restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary
51 confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

52 10. Establish compulsory minimum training standards for all dispatchers employed by or in any
53 local or state government agency, whose duties include the dispatching of law-enforcement personnel.
54 Such training standards shall apply only to dispatchers hired on or after July 1, 1988;

55 11. Establish compulsory minimum training standards for all auxiliary police officers employed
56 by or in any local or state government agency. Such training shall be graduated and based on the type of
57 duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary
58 police officers exempt pursuant to § 15.2-1731;

59 12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other
60 state and federal governmental agencies, and institutions of higher education within or outside the
61 Commonwealth, concerning the development of police training schools and programs or courses of
62 instruction;

63 13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth,
64 for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent
65 the holding of any such school whether approved or not;

66 14. Establish and maintain police training programs through such agencies and institutions as the
67 Board deems appropriate;

68 15. Establish compulsory minimum qualifications of certification and recertification for instructors
69 in criminal justice training schools approved by the Department;

70 16. Conduct and stimulate research by public and private agencies which shall be designed to
71 improve police administration and law enforcement;

72 17. Make recommendations concerning any matter within its purview pursuant to this chapter;

73 18. Coordinate its activities with those of any interstate system for the exchange of criminal history
74 record information, nominate one or more of its members to serve upon the council or committee of any
75 such system, and participate when and as deemed appropriate in any such system's activities and programs;

76 19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this
77 chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to
78 submit information, reports, and statistical data with respect to its policy and operation of information

79 systems or with respect to its collection, storage, dissemination, and usage of criminal history record
80 information and correctional status information, and such criminal justice agencies shall submit such
81 information, reports, and data as are reasonably required;

82 20. Conduct audits as required by § 9.1-131;

83 21. Conduct a continuing study and review of questions of individual privacy and confidentiality
84 of criminal history record information and correctional status information;

85 22. Advise criminal justice agencies and initiate educational programs for such agencies with
86 respect to matters of privacy, confidentiality, and security as they pertain to criminal history record
87 information and correctional status information;

88 23. Maintain a liaison with any board, commission, committee, or other body which may be
89 established by law, executive order, or resolution to regulate the privacy and security of information
90 collected by the Commonwealth or any political subdivision thereof;

91 24. Adopt regulations establishing guidelines and standards for the collection, storage, and
92 dissemination of criminal history record information and correctional status information, and the privacy,
93 confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and
94 court orders;

95 25. Operate a statewide criminal justice research center, which shall maintain an integrated
96 criminal justice information system, produce reports, provide technical assistance to state and local
97 criminal justice data system users, and provide analysis and interpretation of criminal justice statistical
98 information;

99 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law
100 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically
101 update that plan;

102 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the
103 Commonwealth, and units of general local government, or combinations thereof, including planning
104 district commissions, in planning, developing, and administering programs, projects, comprehensive

105 plans, and other activities for improving law enforcement and the administration of criminal justice
106 throughout the Commonwealth, including allocating and subgranting funds for these purposes;

107 28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects
108 and activities for the Commonwealth and units of general local government, or combinations thereof, in
109 the Commonwealth, designed to strengthen and improve law enforcement and the administration of
110 criminal justice at every level throughout the Commonwealth;

111 29. Review and evaluate programs, projects, and activities, and recommend, where necessary,
112 revisions or alterations to such programs, projects, and activities for the purpose of improving law
113 enforcement and the administration of criminal justice;

114 30. Coordinate the activities and projects of the state departments, agencies, and boards of the
115 Commonwealth and of the units of general local government, or combination thereof, including planning
116 district commissions, relating to the preparation, adoption, administration, and implementation of
117 comprehensive plans to strengthen and improve law enforcement and the administration of criminal
118 justice;

119 31. Do all things necessary on behalf of the Commonwealth and its units of general local
120 government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets
121 Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for
122 strengthening and improving law enforcement, the administration of criminal justice, and delinquency
123 prevention and control;

124 32. Receive, administer, and expend all funds and other assistance available to the Board and the
125 Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets
126 Act of 1968, as amended;

127 33. Apply for and accept grants from the United States government or any other source in carrying
128 out the purposes of this chapter and accept any and all donations both real and personal, and grants of
129 money from any governmental unit or public agency, or from any institution, person, firm or corporation,
130 and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be
131 detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature

132 of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be
133 deposited in the state treasury to the account of the Department. To these ends, the Board shall have the
134 power to comply with conditions and execute such agreements as may be necessary;

135 34. Make and enter into all contracts and agreements necessary or incidental to the performance
136 of its duties and execution of its powers under this chapter, including but not limited to, contracts with the
137 United States, units of general local government or combinations thereof, in Virginia or other states, and
138 with agencies and departments of the Commonwealth;

139 35. Adopt and administer reasonable regulations for the planning and implementation of programs
140 and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth
141 and to units of general local government, and for carrying out the purposes of this chapter and the powers
142 and duties set forth herein;

143 36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-
144 1707;

145 37. Establish training standards and publish and periodically update model policies for law-
146 enforcement personnel in the following subjects:

147 a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including
148 standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The
149 Department shall provide technical support and assistance to law-enforcement agencies in carrying out
150 the requirements set forth in subsection A of § 9.1-1301;

151 b. Communication with and facilitation of the safe return of individuals diagnosed with
152 Alzheimer's disease;

153 c. Sensitivity to and awareness of cultural diversity and the potential for biased policing;

154 d. Protocols for local and regional sexual assault response teams;

155 e. Communication of death notifications;

156 f. The questioning of individuals suspected of driving while intoxicated concerning the physical
157 location of such individual's last consumption of an alcoholic beverage and the communication of such
158 information to the Virginia Alcoholic Beverage Control Authority;

- 159 g. Vehicle patrol duties that embody current best practices for pursuits and for responding to
160 emergency calls;
- 161 h. Criminal investigations that embody current best practices for conducting photographic and live
162 lineups;
- 163 i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of
164 human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or
165 street patrol duties; and
- 166 j. Missing children, missing adults, and search and rescue protocol;
- 167 38. Establish compulsory training standards for basic training and the recertification of law-
168 enforcement officers to ensure sensitivity to and awareness of cultural diversity and the potential for biased
169 policing;
- 170 39. Review and evaluate community-policing programs in the Commonwealth, and recommend
171 where necessary statewide operating procedures, guidelines, and standards which strengthen and improve
172 such programs, including sensitivity to and awareness of cultural diversity and the potential for biased
173 policing;
- 174 40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation
175 with Virginia law-enforcement agencies, provide technical assistance and administrative support,
176 including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The
177 Center may provide accreditation assistance and training, resource material, and research into methods
178 and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia
179 accreditation status;
- 180 41. Promote community policing philosophy and practice throughout the Commonwealth by
181 providing community policing training and technical assistance statewide to all law-enforcement agencies,
182 community groups, public and private organizations and citizens; developing and distributing innovative
183 policing curricula and training tools on general community policing philosophy and practice and
184 contemporary critical issues facing Virginia communities; serving as a consultant to Virginia
185 organizations with specific community policing needs; facilitating continued development and

186 implementation of community policing programs statewide through discussion forums for community
187 policing leaders, development of law-enforcement instructors; promoting a statewide community policing
188 initiative; and serving as a statewide information source on the subject of community policing including,
189 but not limited to periodic newsletters, a website and an accessible lending library;

190 42. Establish, in consultation with the Department of Education and the Virginia State Crime
191 Commission, compulsory minimum standards for employment and job-entry and in-service training
192 curricula and certification requirements for school security officers, including school security officers
193 described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the
194 Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards
195 shall include, but shall not be limited to, the role and responsibility of school security officers, relevant
196 state and federal laws, school and personal liability issues, security awareness in the school environment,
197 mediation and conflict resolution, disaster and emergency response, and student behavioral dynamics. The
198 Department shall establish an advisory committee consisting of local school board representatives,
199 principals, superintendents, and school security personnel to assist in the development of the standards
200 and certification requirements in this subdivision. The Department shall require any school security officer
201 who carries a firearm in the performance of his duties to provide proof that he has completed a training
202 course provided by a federal, state, or local law-enforcement agency that includes training in active shooter
203 emergency response, emergency evacuation procedure, and threat assessment;

204 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with
205 Article 11 (§ 9.1-185 et seq.);

206 44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

207 45. In conjunction with the Virginia State Police and the State Compensation Board, advise
208 criminal justice agencies regarding the investigation, registration, and dissemination of information
209 requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et
210 seq.);

211 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training
212 curricula, and (iii) certification requirements for campus security officers. Such training standards shall

213 include, but not be limited to, the role and responsibility of campus security officers, relevant state and
214 federal laws, school and personal liability issues, security awareness in the campus environment, and
215 disaster and emergency response. The Department shall provide technical support and assistance to
216 campus police departments and campus security departments on the establishment and implementation of
217 policies and procedures, including but not limited to: the management of such departments, investigatory
218 procedures, judicial referrals, the establishment and management of databases for campus safety and
219 security information sharing, and development of uniform record keeping for disciplinary records and
220 statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall
221 establish an advisory committee consisting of college administrators, college police chiefs, college
222 security department chiefs, and local law-enforcement officials to assist in the development of the
223 standards and certification requirements and training pursuant to this subdivision;

224 47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs
225 established pursuant to § 9.1-187;

226 48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and
227 attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human
228 trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

229 49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of §
230 46.2-117;

231 50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional
232 Standards Committee by providing technical assistance and administrative support, including staffing, for
233 the Committee;

234 51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards
235 to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

236 52. In consultation with the State Council of Higher Education for Virginia and the Virginia
237 Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-
238 informed sexual assault investigation;

239 53. In consultation with the Department of Behavioral Health and Developmental Services,
240 develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail
241 officers, administrators, or superintendents in any local or regional jail. Such program shall be based on
242 any existing addiction recovery programs that are being administered by any local or regional jails in the
243 Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such
244 program may address aspects of the recovery process, including medical and clinical recovery, peer-to-
245 peer support, availability of mental health resources, family dynamics, and aftercare aspects of the
246 recovery process;

247 54. Establish compulsory minimum training standards for certification and recertification of law-
248 enforcement officers serving as school resource officers. Such training shall be specific to the role and
249 responsibility of a law-enforcement officer working with students in a school environment; and

250 55. Perform such other acts as may be necessary or convenient for the effective performance of its
251 duties.

252 **§ 53.1-20. Commitment of convicted persons to custody of Director.**

253 A. Every person convicted of a felony committed before January 1, 1995, and sentenced to the
254 Department for a total period of more than two years shall be committed by the court to the custody of the
255 Director of the Department. The Director shall receive all such persons into the state corrections system
256 within sixty days of the date on which the final sentencing order is mailed by certified letter or sent by
257 electronic transmission to the Director by the clerk.

258 B. Persons convicted of felonies committed on or after January 1, 1995, and sentenced to the
259 Department or sentenced to confinement in jail for a year or more shall be placed in the custody of the
260 Department and received by the Director into the state corrections system within sixty days of the date on
261 which the final sentencing order is mailed by certified letter or sent by electronic transmission to the
262 Director by the clerk.

263 C. If the Governor finds that the number of prisoners in state facilities poses a threat to public
264 safety, it shall be within the discretion of the Director to determine the priority for receiving prisoners into
265 the state corrections system from local correctional facilities.

266 D. All felons sentenced to a period of incarceration and not placed in an adult state correctional
267 facility pursuant to this section shall serve their sentences in local correctional facilities which shall not
268 include a secure facility or detention home as defined in § 16.1-228.

269 E. Felons committed to the custody of the Department for a new felony offense shall be received
270 by the Director into the state corrections system in accordance with the provisions of this section without
271 any delay for resolution of (i) issues of alleged parole violations set for hearing before the Parole Board
272 or (ii) any other pending parole-related administrative matter.

273 F. After accounting for safety, security, and operational factors, the Director shall place prisoners
274 who are known primary caretakers of minor children in a facility as close as possible to such children.

275 **§ 53.1-25.1. Rules of state correctional facilities.**

276 A. The Director shall prescribe rules for state correctional facilities to ensure that, when physical
277 contact is required between an officer and an inmate and when the inmate is required by circumstances to
278 disrobe, to the greatest extent possible, the officer shall be the same gender as the inmate. However, such
279 rules may allow for the suspension of the provisions of this subsection during the period of a declared
280 emergency.

281 B. When contact is required between an officer and an inmate and when the inmate is required by
282 circumstances to disrobe and the officer is not the same gender as the inmate, the officer involved shall
283 submit a written report to the warden or other official in charge of the state correctional facility within 72
284 hours following the incident, containing the justification for the suspension of the provisions of subsection

285 A.

286 **§ 53.1-35.2. Visitation of certain prisoners by minor dependents.**

287 A. The Director is authorized to prescribe reasonable rules regarding visitation that shall include
288 authorization of visitation by minor dependents of prisoners who are primary caretakers of minor children
289 with Level 1 or Level 2 security classifications that include (i) opportunities for dependent children under
290 the age of 18 to visit their incarcerated primary caretakers at least twice per week unless an employee of
291 the Department has a reasonable belief that the child (a) may be harmed during visitation or (b) poses a
292 security risk due to a gang affiliation, prior conviction, or past violation of a correctional facility's

293 contraband policy; (ii) the elimination of restrictions on the number of dependent children under the age
294 of 18 that may be permitted visitation privileges; and (iii) authorization for contact visits for prisoners
295 who are primary caretakers of minor children.

296 B. Nothing in this section shall prevent the Department from refusing visitation of a minor child
297 based on an individualized determination by the Director, warden, or superintendent that such visitation
298 presents security or operational risks.

299 Article 2.2.

300 Treatment and Control of Prisoners Known to Be Pregnant.

301 **§ 53.1-40.11. Definitions.**

302 As used in this article, unless the context requires a different meaning:

303 "Postpartum recovery" means the eight-week period, or longer as determined by the health care
304 professional responsible for the health and safety of the prisoner, following childbirth.

305 "Restraints" means any mechanical device, medication, physical intervention, or hands-on hold to
306 prevent an individual from moving her body.

307 "Restrictive housing" means the same as that term is defined in § 53.1-39.1.

308 "Solitary confinement" means isolation of a prisoner from the general population through
309 confinement to a cell or other place for 22 or more hours within a 24-hour period.

310 **§ 53.1-40.12. Treatment of prisoners known to be pregnant.**

311 A. The following restraints shall not be used on any prisoner known to be pregnant upon
312 notification or diagnosis of the pregnancy and for the duration of the pregnancy, unless there is an
313 individualized determination that the prisoner will harm herself, the fetus, the newborn child, or any other
314 person or poses a substantial flight risk: (i) leg restraints, (ii) handcuffs or other wrist restraints, except to
315 restrain the prisoner's wrists in front of her, or (iii) restraints connected to other inmates. If there is an
316 individualized determination that the prisoner will harm herself, the fetus, the newborn child, or any other
317 person or poses a substantial flight risk and restraints are used, such restraints shall be the least restrictive
318 possible.

319 B. No restraints shall be used on any prisoner known to be pregnant while in labor or during
320 delivery unless there is an individualized determination that the prisoner will harm herself, the fetus, the
321 newborn child, or any other person or poses a substantial flight risk. If there is an individualized
322 determination that the prisoner will harm herself, the fetus, the newborn child, or any other person or poses
323 a substantial flight risk and restraints are used, such restraints shall be the least restrictive possible. In such
324 case, the employee ordering the use of restraints on any prisoner known to be pregnant while in labor or
325 during delivery shall submit a written report to the warden or other official in charge of the state
326 correctional facility within 72 hours following the use of restraints, containing the justification for
327 restraining the prisoner.

328 C. No employee of the Department other than a licensed health care professional shall conduct
329 body cavity searches of prisoners known to be pregnant unless the employee has a reasonable belief that
330 the prisoner is concealing contraband. In such case, the employee shall submit a written report to the
331 warden or other official in charge of the state correctional facility within 72 hours following the body
332 cavity search, containing the justification for the search and what contraband was found, if any.

333 D. The Department shall not place any prisoner known to be pregnant in restrictive housing or
334 solitary confinement unless an employee of the Department has a reasonable belief that the inmate will
335 harm herself, the fetus, the newborn child, or any other person or poses a substantial flight risk. In such
336 case, the employee authorizing the placement of the inmate in restrictive housing or solitary confinement
337 shall submit a written report to the warden or other official in charge of the state correctional facility
338 within 72 hours following the transfer, containing the justification for confining the prisoner in restrictive
339 housing or solitary confinement.

340 E. The Department shall ensure that prisoners known to be pregnant are provided sufficient food
341 and dietary supplements as ordered by a licensed physician or physician staff member to meet generally
342 accepted prenatal nutritional guidelines for pregnant women.

343 F. The Department shall not assign any prisoner known to be pregnant to any bed that is elevated
344 more than three feet from the floor of the facility.

345 **§ 53.1-40.13. Treatment of prisoners during postpartum recovery.**

346 A. No restraints shall be used on any prisoner who is in postpartum recovery, unless an employee
347 of the Department has a reasonable belief that the prisoner will harm herself, her newborn child, or any
348 other person or poses a substantial flight risk. If there is a reasonable belief that the prisoner will harm
349 herself, her newborn child, or any other person or poses a substantial flight risk and restraints are used,
350 such restraints shall be the least restrictive possible. In such case, the employee ordering the use of
351 restraints shall submit a written report to the warden or other official in charge of the state correctional
352 facility within 72 hours following the use of restraints, containing justification for restraining the prisoner.

353 B. The Department shall not place any prisoner who has given birth in the past 30 days and is in
354 postpartum recovery in restrictive housing or solitary confinement unless an employee of the Department
355 has a reasonable belief that the inmate will harm herself, her newborn child, or any other person or poses
356 a substantial flight risk. In such case, the employee authorizing the placement of the inmate in restrictive
357 housing or solitary confinement shall submit a written report to the warden or other official in charge of
358 the state correctional facility within 72 hours following the transfer, containing the justification for
359 confining the prisoner in restrictive housing or solitary confinement.

360 C. Following the delivery of a newborn child by a prisoner, the Department shall permit the
361 newborn child to remain with the mother for 72 hours unless a licensed medical or mental health care
362 professional has a reasonable belief that the newborn child remaining with the mother poses a health or
363 safety risk to the newborn child. During the 72 hours, the Department shall make available the necessary
364 nutritional and hygiene products to care for the newborn child, including diapers, and the necessary
365 postpartum recovery products for the mother. If the prisoner qualifies as indigent, such products shall be
366 provided without cost.

367 **§ 53.1-40.14. Reporting requirement.**

368 The warden or other official in charge of a state correctional facility shall compile a monthly
369 summary of all written reports received pursuant to §§ 53.1-25.1, 53.1-40.12, and 53.1-40.13 and shall
370 submit the summary to the Director each month.

371 **§ 53.1-40.15. Training of correctional facility employees regarding pregnant inmates.**

372 For correctional officers, and juvenile correctional officers who may have contact with pregnant
373 inmates, the compulsory minimum entry-level training standards established pursuant to § 9.1-102 shall
374 include training on the general care of pregnant women, the impact of restraints on pregnant inmates and
375 fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and
376 the impact of body cavity searches on pregnant inmates.

377 **§ 53.1-40.16. Education for pregnant prisoners.**

378 The Department shall provide, to the extent practicable, educational programming for prisoners
379 known to be pregnant related to (i) prenatal care, (ii) pregnancy-specific hygiene, (iii) parenting skills,
380 (iv) the impact of alcohol and drugs on the fetus, (v) postpartum recovery health, and (vi) the general
381 health of children.

382 **§ 66-10. Powers and duties of Board.**

383 The Board shall have the following powers and duties:

- 384 1. To establish and monitor policies for the programs and facilities for which the Department is
385 responsible under this law.
- 386 2. To ensure the development of a long-range youth services policy.
- 387 3. To monitor the activities of the Department and its effectiveness in implementing the policies
388 developed by the Board.
- 389 4. To advise the Governor and Director on matters relating to youth services.
- 390 5. To promulgate such regulations as may be necessary to carry out the provisions of this title and
391 other laws of the Commonwealth.
- 392 6. To ensure the development of programs to educate citizens and elicit public support for the
393 activities of the Department.
- 394 7. To establish length-of-stay guidelines for juveniles indeterminately committed to the
395 Department and to make such guidelines available for public comment.
- 396 8. To adopt all necessary regulations for the management and operation of the schools in the
397 Department except that the regulations adopted hereunder shall not conflict with regulations relating to
398 security of the institutions in which the juveniles are committed.

399 9. To establish compulsory minimum entry-level, in-service, and advanced training standards, as
400 well as the time required for completion of such training, for persons employed as juvenile correctional
401 officers employed at a juvenile correctional facility as defined in § 66-25.3. For such juvenile correctional
402 officers who may have contact with pregnant inmates, such standards shall include training on the general
403 care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being
404 placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity
405 searches on pregnant inmates.

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